

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Lisa Kemmerer,

FILED ELECTRONICALLY

Plaintiff

v.

NCO Financial Systems, Inc.,

Defendant

COMPLAINT

I. Introduction

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (“the Act”) which prohibits debt collectors from engaging in abusive, unfair, and deceptive practices.

II. Jurisdiction and Venue

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this district is proper in that Defendant transacts business here and the conduct complained of is alleged to have occurred here.

III. Parties

4. Plaintiff, Lisa Kemmerer, is a natural person residing at 96 Oak Lane, Tobyhanna, PA 18466.

5. Defendant, NCO Financial Systems, Inc., (“the Collector”) is a corporation engaged in the business of collecting debts in this state with a place of business located at 507 Prudential Rd., Horsham, PA 19044 and is a “debt collector” as defined by the Act, 15 U.S.C. § 1692a(6).

IV. Statement of Claim

6. Within the past year the Collector was attempting to collect an alleged account (“the Account”) from Plaintiff.

7. The Account is a “debt” as that term is defined by the Act, 15 U.S.C. § 1692a(5).

8. The Collector regularly uses the telephone to attempt to collect consumer debts alleged to be due another.

9. Between May 10, 2012 and May 15, 2012, the Collector caused at least five telephone calls to be placed to phone number (570) 856-3018.

10. The aforementioned phone number was assigned to Plaintiff at all times relevant to this matter.

11. During all of the calls, the Collector left messages for Plaintiff.

12. 15 U.S.C. § 1692e(11) requires a debt collector to disclose that the communication is from a debt collector in each communication with a consumer.

13. In all of the messages, the Collector failed to disclose that the call was from a debt collector.

14. The calls and the messages were attempts to collect the Account.
15. Defendant violated the Act, 15 U.S.C. § 1692, subsection e(11).

WHEREFORE, Plaintiff demands judgment against Defendant for damages, costs, attorney's fees, and such other and further relief as the Court deems just and proper.

V. Demand for Jury Trial

Plaintiff demands a trial by jury as to all issues so triable.

Respectfully Submitted,

s/ Kristin Sabatini
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